

REMARKS

Claims 8 to 19 are pending in the present application.

It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Claims 8 to 14 and 16 to 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,949,492 ("Mankovitz") and U.S. Patent No. 5,872,926 ("Levac").

Claims 8 and 17 relate to methods for transmitting information between an infrastructure and data users, the data users including terminal devices in a motor vehicle. Claims 8 and 17 provide that the terminal devices have different data processing capabilities and that the method includes adapting data from a data service in a standardized format to the different data processing capabilities of the terminal devices. The data is adapted via interfaces situated in the infrastructure. While the rejections may not be agreed with, to facilitate matters, claims 8 and 17 also provide that *the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider.*

Claims 11, 16 and 18, as presented, relate to devices for transmitting information between an infrastructure and data users. Claims 11, 16 and 18, as presented, include features like those of claims 8 and 17, as presented.

It is respectfully submitted that Mankovitz and Levac, whether taken alone or combined, do not disclose or suggest a method or device for transmitting information between an infrastructure and data users, in which *different data processing capabilities of terminal devices of the data users are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider*, as provided for in the context of claims 8, 11 and 16 to 18 as presented.

Instead, Mankovitz refers to a system including an infrastructure with a station as a data source, in which the receivers have standard equipment (that is, all receivers are the same, having the same data processing capabilities). If a user would like to have additional information to information receiver, the user presses a button and the receiver stores station, time and day. This information is sent together with a user tag to the central processor station where the additional information is retrieved and transmitted to the receivers. No information about data processing capabilities is sent to the central processor station. Likewise, Levac refers to a communication system in which communication devices operating with difference

message formats (protocols) may communicate, the message being generated and sent to a message server, which routes the message to its destination. Protocol converters analyze the message and determine the type of message format used by the destination. The message is then converted to the format compatible with the selected destination. Afterward, the converted message is sent to the destination. The conversion of an incoming message with respect to a destination relates to the communication protocol used in the destination and not data processing capabilities of the device itself. Thus, Levac only refers to different message formats - and not to data processing capabilities of receiving devices, as provided for in the context of the presently claimed subject matter.

The Office Action asserts that Levac shows the adaptation of data to users that have different data processing capabilities. However, according to Levac, the message is routed to a destination and a protocol converter is provided to make the message ready to be transmitted. As such, the protocol converter adapts the transmission format of the data and not the message itself. Hence, Levac *only* refers to an adaptation of the data to the *reception or communication capabilities* of the terminal device. In contrast, according to the claimed subject matter, the adaptation of the data itself depends upon the *data processing capabilities* of the terminal device. (e.g., to the capabilities of processing speech data, whether the display is small or large, for example). (See page 3, line 30 to page 5, line 33, of the Specification.)

In view of the foregoing, it is respectfully submitted that even if Mankovitz and Levac are combined (the properness of which is not conceded) does not render unpatentable claims 8, 11 or 16 to 18, as presented, so that these claims are allowable.

Claims 9 and 10 depend from claim 8, as presented, and claims 12 to 14 depend from claim 11, as presented, and are therefore allowable for the same reasons as their base claims 8 and 11, respectively, as presented.

In view of all of the foregoing, withdrawal of the obviousness rejections is respectfully requested.

Claim 15 was rejected under 35 U.S.C. 103(a) as unpatentable over Mankovitz and Levac in view of Ellis et al., U.S. Patent No. 5,699,255.

Claim 15 as presented includes features like those of the other independent claims, and is therefore allowable for essentially the same reasons, since the third-level Ellis reference does not cure the critical deficiencies of the primary references.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

Accordingly, claims 8 to 19, as presented, are allowable.

Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. It is therefore respectfully requested that the rejections be withdrawn. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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